

Referrals
1/22/19

**PUBLIC HEALTH
AND SAFETY
STANDING
COMMITTEE**

OFFICE OF CONTRACTING
AND PROCUREMENT

January 16, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

3029347 100% City Funding – To Provide Residential Demolition at 7688 Stout, and 8240 St. Marys. – Contractor: Leadhead Construction – Location: 41617 Cummings Lane, Novi, MI 48337 – Contract Period: Upon City Council Approval through November 26, 2019 – Total Contract Amount: \$30,000.00. **HOUSING AND REVITALIZATION**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL MEMBER BENSON

RESOLVED, that Contract No. 3029347 referred to in the foregoing communication dated January 16, 2019, be hereby and is approved.

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**OFFICE OF CONTRACTING
AND PROCUREMENT**

January 16, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6000898 100% Street Funding – AMEND 1– To Provide Additional Funds for the Reconstruction of Woodbridge Street. – Contractor: Major Cement Co. – Location: 15347 Dale, Detroit, MI 48223 – Contract Period: Upon City Council Approval through December 31, 2019 – Contract Increase: \$28,847.41 Total Contract Amount: \$1,302,921.32. **DEPARTMENT OF PUBLIC WORKS**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL MEMBER BENSON

RESOLVED, that Contract No. 6000898 referred to in the foregoing communication dated January 16, 2019, be hereby and is approved.

**OFFICE OF CONTRACTING
AND PROCUREMENT**

January 16, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001859 100% Revenue – Student Transit Agreement To Provide Qualifying DPSCD Students Access to Transportation through City Operated Bus Transit Services. – Contractor: DPSCD – Location: 3011 W. Grand Blvd., Detroit, MI 48202 – Contract Period: 2018 – 2019 Academic Year and Continuing for a Period of 2 years. – Total Revenue Amount: \$1,855,000.00. **DEPARTMENT OF TRANSPORTATION**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL MEMBER **BENSON**

RESOLVED, that Contract No. 6001859 referred to in the foregoing communication dated January 16, 2019, be hereby and is approved.



38

Date: January 10, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**

ADDRESS: 17216 Birwood

NAME: Dorice Peterson

Demolition Ordered: July 13, 2015

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on January 9, 2019 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
2. BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.
3. The building shall have all imminently hazardous conditions immediately corrected, be maintained, and securely barricaded until rehabilitation is complete. Rehabilitation work is to be completed within six (6) months, at which time the owner will obtain one of the following from this department:
 - Certificate of Acceptance related to building permits
 - Certificate of Approval as a result of a Housing Inspection
 - Certificate of Compliance, required for all rental properties
4. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).
5. The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.
6. Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB bkd

cc: Dorice Peterson, 343 Newport, Detroit, MI 48215
Dorice Peterson, P.O. Box 213082, Detroit, MI 48223



37

Date: January 10, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**

ADDRESS: 664 Alger

NAME: FDR Investments LLC

Demolition Ordered: March 30, 2015

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on November 6, 2018 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
2. BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.
3. The building shall have all imminently hazardous conditions immediately corrected, be maintained, and securely barricaded until rehabilitation is complete. Rehabilitation work is to be completed within six (6) months, at which time the owner will obtain one of the following from this department:
 - Certificate of Acceptance related to building permits
 - Certificate of Approval as a result of a Housing Inspection
 - Certificate of Compliance, required for all rental properties
4. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).
5. The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.
6. Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: FDR Investments LLC, 2000 Town Center, 19th FL, Southfield, MI 48075
Melvin Murray, 3228 Canyon TR, Milford, MI 48380



90

Date: January 3, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**

ADDRESS: 12900 Mack

NAME: DeLiscious CO, LLC

Demolition Ordered: April 9, 2013

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on December 13, 2018 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. This is the 2nd deferral request for this property.

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
2. BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.
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 - Certificate of Acceptance related to building permits
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 - Certificate of Compliance, required for all rental properties
4. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).
5. The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.
6. Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: DeLiscious CO, LLC, 5951 Manistique, Detroit, MI 48224
ATTN: Licious Williams



41

Date: January 8, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**

ADDRESS: 20155 Mendota

NAME: Joevarka Tyus

Demolition Ordered: November 21, 2017

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on November 1, 2018 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 2nd deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
2. BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.
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 - Certificate of Compliance, required for all rental properties
4. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).
5. The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.
6. Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: Joevarka Tyus, 9629 Artesian, Detroit, MI 48228



42

Date: January 9, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**
ADDRESS: 12826 Freeland
NAME: Carl & Yowome Catherine Young
Demolition Ordered: September 17, 2018

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on December 21, 2018 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
2. BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.
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We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:hkd

cc: Carl Young, 14721 SW 159th ST, Miami, FL 33187
Yowome Catherine Young, 14721 SW 159th ST, Miami, FL 33187



93

Date: January 11, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**

ADDRESS: 6891 Rutland

NAME: Rassam Hassan

Demolition Ordered: October 19, 2015

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on January 10, 2019 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
2. BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.
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Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: Rassam Hassan, 3934 Oliver ST, Hamtramck, MI 48211



44

Date: January 11, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**

ADDRESS: 5933 Kensington

NAME: Erin Murphy

Demolition Ordered: May 21, 2013

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on January 10, 2019 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
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We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

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Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: Erin Murphy, 2434 Actor ST, Berkeley, CA 94702
Steven E. Landeau JR, P.O. Box 426, Lapeer, MI 48446



COUNCIL MEMBER AT-LARGE
JANEÉ L. AYERS

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 1340
Detroit, Michigan 48226

Phone 313-224-4248
Fax 313-224-1787
www.detroitmi.gov/janeeayers

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MEMORANDUM

TO: Sue F. McCormick, Chief Executive Officer
Great Lakes Water Authority (GLWA)

VIA: Scott Benson, Chair
Public Health and Safety Standing Committee

FROM: Janee' Ayers, Vice Chair
Public Health and Safety Standing Committee

DATE: January 15, 2019

RE: Request for investigation into water main break

I would like to request an independent investigation by a panel of engineers not contracted with GLWA or the City of Detroit into how and why the large water main break in the Downtown area occurred. Please report the findings via email or presentation to the Detroit City Council in its entirety.

Thank you for your time and effort,

Janee' Ayers
Detroit City Council

cc: Colleagues
City Clerk

CITY CLERK 2019 JAN 15 PM 12:18

Received At Table on 1-15-19 



COUNCIL MEMBER AT-LARGE
JANEÉ L. AYERS

46-3

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 1340
Detroit, Michigan 48226

Phone 313-224-4248
Fax 313-224-1787
www.detroitmi.gov/janeeayers

MEMORANDUM

TO: Sue F. McCormick, Chief Executive Officer
Great Lakes Water Authority (GLWA)

VIA: Janee Ayers, Chair
Budget Audit and Finance Standing Committee

FROM: Janee' Ayers, Chair
Budget Audit and Finance Standing Committee

DATE: January 15, 2019

RE: GLWA Capital Improvement Plan

1. Please provide specific details on GLWA's capital improvement plan for 2019 and identify the linear improvements planned in the City of Detroit including specific streets and pipes (beyond water treatment plants) that will be worked on.
2. How does this plan of work line up with the dollars provided by the City of Detroit to GLWA?
3. What percentage of the dollars provided by the City of Detroit to GLWA is spent on projects that are Detroit specific?

Thank you for your time and effort,

Janee' Ayers
Detroit City Council

cc: Colleagues
City Clerk

CITY CLERK 2019 JAN 15 PM 12:18

Received At Table on 1-15-19



MEMORANDUM

TO: Ron Brundidge, Department of Public Works
Chief James Craig, Chief of Police

FROM: Hon. Scott Benson, City Council District 3 *SRB*

CC: Hon. Janice Winfrey, City Clerk
Hon. Sonya Mays, DPSCD Board Member
CDR Constance Slapney
David Whitaker, Director, LPD
Stephanie Washington, City Council Liaison

VIA: Hon. Brenda Jones, City Council President

DATE: 16 Jan 2019

RE: **COMPLAINTS FROM CITIZENS RE: TRAFFIC ACCIDENTS
AND SPEEDING ON JOS CAMPAU AT DAVISON ELEMENTARY**

This office has received complaints about accidents, speeding violations and unsafe traffic conditions on Jos Campau at Davison Elementary. The most recent report is of a grandmother being hit by a car on Jos Campau after dropping her grandchildren off at school and walking home. Please pull traffic accident data for this area and identify if there needs to be any modification to the area's traffic safety equipment to prevent future accidents. Additionally, the parents have asked for an illuminated crosswalk at Jos Campau and Lawley, and an illuminated speed monitor sign in front of the school.

Please report back on your finding by 18 February 2019. Please reach out to my office at 313-224-1198 with any questions.


SRB

CITY CLERK 2019 JAN 16 PM 4:07



MEMORANDUM

TO: Gary Brown, Director, DWSD
David Whitaker, Director, LPD

FROM: Hon. Scott Benson, City Council District 3 

CC: Hon. Adam Hollier, State Senator
Hon. Janice Winfrey, City Clerk
Lawrence Garcia, Corporation Counsel City of Detroit
Stephanie Washington, City Council Liaison

VIA: Hon. Brenda Jones, City Council President

DATE: 16 Jan 2019

RE: **REQUEST TO REVIEW CALIFORNIA'S STATE WATER
RESOURCES CONTROL BOARD DRAFT RPT. DTD 3 JAN 2019
"OPTIONS FOR IMPLEMENTATION OF A STATEWIDE LOW-
INCOME WATER RATE ASSISTANCE PROGRAM"**

While the City of Detroit has several programs to address access to water for low income residents, the need continues to outpace the availability of resources from DWSD and the Great Lakes Water Authority. Sensing the magnitude of the water affordability problem the California state legislature has taken on this issue because the cost to provide subsidized water cannot be supported by their local water systems.

Please review the report, the link is located below, and identify any best practices that can be imported to the State of Michigan. At this time the path to funding a water affordability solution may run through the state vs. the municipalities. My request is that LPD and DWSD work together to provide a brief report with recommendations on how we can engage the State of Michigan to help in this fight. With the number of households in the City of Detroit that are water insecure it is extremely important that we identify a sustainable method to ensure all of Detroit's residents, regardless of income, have access to water.

https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/docs/2019/draft_report_ab401.pdf

Please reach out to my office at 313-224-1198 with any questions.

SRB


City of Detroit

CITY COUNCIL

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RAQUEL CASTAÑEDA-LÓPEZ
COUNCIL MEMBER
DISTRICT 6

MEMORANDUM

TO: Ron Brundidge, Director, Department of Public Works
THRU: Council Member Scott Benson, Chair, Public Health and Safety Committee
FROM: Council Member Raquel Castañeda-López 
DATE: January 8th, 2019
RE: Flooding at Henderson and Renville

Our office first inquired about this flooding issue at 5650 Renville in September of 2018. Please advise whether the survey has been conducted and what course of action has been planned to eliminate the ponding problem.

Thank you. If you have any questions, please contact my office at 313-224-2450.

CITY CLERK 2019 JAN 14 PM 1:53

Cc: Honorable Detroit City Council
Stephanie Washington, Mayor's Liaison
Janice Winfrey, City Clerk

City of Detroit

CITY COUNCIL

RAQUEL CASTAÑEDA-LÓPEZ
COUNCIL MEMBER
DISTRICT 6

MEMORANDUM

TO: David Bell, Director, BSEED
Mayor's Office of Sustainability

THRU: Council Member Brenda Jones, Council President

FROM: Council Member Raquel Castañeda-López

DATE: January 15, 2019



RE: Request for Report: Rental Property Ordinance Grant

The Office of Sustainability and Building, Safety, Engineering and Environmental Department received a grant for \$100,000 from the Kresge foundation to aid in understanding the impacts of the rental property ordinance and implications of other policies in the Detroit housing market. The City is required to complete two reports during the life of the grant (June 28, 2018 and January 31, 2019), with information about the progress of the work, as well as information regarding resident engagement and coordination among Departments.

Please ensure that both the interim and final report are submitted to Council for review.

Please do not hesitate to contact my office if you have any questions. Thank you.

CITY CLERK 2019 JAN 15 PM 4:10

Cc: Honorable Detroit City Council
Stephanie Washington, Mayor's Liaison
City Clerk

BS

51

City of Detroit
CITY COUNCIL
COUNCIL PRESIDENT BRENDA JONES

MEMORANDUM

TO: Gary Brown, Director
Detroit Water and Sewage Department

Sue McCormick, CEO
Great Lake Water Authority

David Whitaker, Director
Legislative Policy Division

FROM: Council President Brenda Jones BQ

DATE: January 15, 2019

RE: **Report Request**

The Detroit News recently released an article entitled "*Detroit Could Be Losing Out On Millions Under 'Flawed' Water System Lease.*" Please provide a report evaluating the effectiveness of the current Detroit Water and Sewage Department lease with the Great Lakes Water Authority.

CITY CLERK 2019 JAN 15 PM 2:18

Received At Table on 1-15-19

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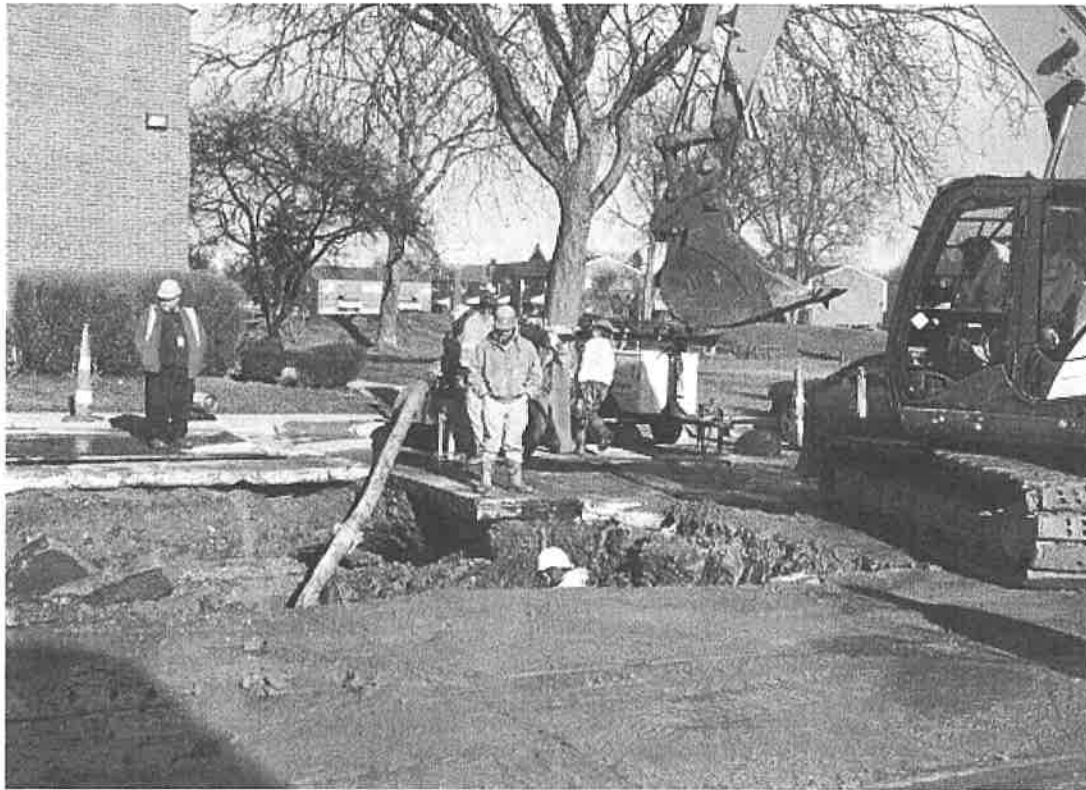
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SOURCE=BENBJAN&UTM_MEDIUM=NANOBAR&UTM_SOURCE=BOUN
EXCHANGE&UTM_CAMPAIGN=EVERGREEN17)

Report: Detroit could be losing out on millions 'flawed' water system lease

Breana Noble and Christine Ferretti, The Detroit News

Published 10:00 a.m. ET Jan. 14, 2019 | Updated 6:24 p.m. ET Jan. 14, 2019



Workers from Lakeshore Global Corporation work on a water main break at Larned and St. Maron Place in Detroit Sunday morning

Detroit — A new report on Detroit's water system contends the city could be losing out on millions of dollars under a "flawed" regional authority forged in secret during Detroit's landmark bankruptcy.

The report, authored by researchers from the Haas Institute for a Fair and Inclusive Society at the University of California, examines the city's lease agreements tied to the creation of the Great Lakes Water Authority, which operates the system.

The 100-page report, which was funded by \$42,000 from the Troy-based Kresge Foundation, outlines the health, social and economic impacts of water shutoffs in Detroit. It also lists seven broad actions that the researchers recommend should be taken to address the system's governance in Metro Detroit.

The institute and Detroit's Metropolitan Organizing Strategy Enabling Strength, a faith-based advocacy organization, are in partnership with a dozen other local groups based on concerns over water affordability and infrastructure dating back organizers said.

At the center of water inequity in Metro Detroit, the researchers said, is the lack of a proper appraisal of the water system being stood up as a component of the city's Chapter 9 filing.

The report, released Monday, questions whether the \$50 million annually the authority pays the city to run its water system is the city-owned asset. The majority of negotiations over the deal were conducted in mediation.

Since the deal was not a sale, it did not require a comprehensive assessment of the asset's value, the report notes.

The circumstances of the transaction — reached in the midst of a municipal bankruptcy and under emergency management that would not have occurred under normal circumstances and is, correspondingly, blatantly inequitable."

A challenge, however, both when the leasing agreement was made and now, is a lack of comparable deals and details to

But based on the 2017 sale of an \$880 million system in Connecticut that serves six times fewer people than the Great Lakes, researchers estimated the Detroit system has more than \$5 billion in equity. That would translate to a leasing rate of \$21 per acre-foot, what the city receives from the authority now, they said.

"The economic value would help to achieve a respectful lease payment to the city of Detroit that represents the value of the region," said Joseph Recchie, a report author and founder of Praxis Partners, a Columbus, Ohio-based company that has similar objectives.

Michelle Zdrowski, a spokeswoman for GLWA, said negotiations over the formation of the authority were "extremely complex" and focused on control and ownership, while addressing the deferred needs of the system."

The authors of the report, she said, put it together "without any known effort" to contact the authority to gain an understanding of its parameters of its operation.

In addition to the lease, she said, the authority assumed billions in debt obligations across the water and sewer systems and required the authority to set up an assistance program and to dedicate a half-percent of its total revenues annually toward it.

Further, the market value for many transactions, cited as "comparable" in the report, are predicated on significant rate increases, as the report's authors say, "none of these points definitely shows that the GLWA lease payment is artificially low," Zdrowski said.

Detroit Water and Sewerage Department Director Gary Brown said the city is benefiting from the lease deal.

The department, he said, has leveraged the lease payments to fund a five-year, \$500 million capital improvement project for water infrastructure.

"It funds replacing water mains and relining sewer mains at the rate of 2 percent per year, which is the national water utility average," Brown, adding that last year the department replaced 25 miles of water main and relined 22 miles of sewer pipe.

"DWSD and contractors are hiring hundreds of Detroiters over the next few years to go to work rehabilitating our aging water infrastructure," he said.

The release of the report coincides with ongoing repairs of a water main break over the weekend that's prompted a boil water advisory in Detroit as the city welcomes automotive industry executives for the North American International Auto Show.

"This is a beautiful city filled with a resourceful population and they are coming back," Recchie said at a Monday news conference at the Metropolitan United Methodist Church on Woodward. "But if you bring international executives making site decisions, contracts ... they have to make sure the city is as vibrant."

"The worst thing they can do is see a failed infrastructure because in the back of their mind is 'would my plant be shut down and be subject to liquidated damages because I can't deliver basic infrastructure.'"

Dr. John Powell of the Haas Institute said it was ironic that the report came out during the boil advisory.

"This crisis is going to get worse," Powell said at a Monday news conference at Metropolitan United Methodist Church on Woodward. "The water system is under tremendous stress."

Organizers said copies of the report have been sent to the offices of Detroit Mayor Mike Duggan and Wayne County Executive Kevyn Faye to arrange meetings to discuss the findings.

James Martinez, a spokesman for Evans, confirmed Monday that the county received the report and "is open to discuss the report and its findings for review."

The report also renews an ongoing call for a moratorium on water shutoffs in the city and overhaul of payment policies and policies that contend is evidenced by some 100,000 water shutoffs in Detroit since 2014.

It advocates for an income-based rate structure and warns of "wide-ranging health consequences" of water deprivation. "Water deprivation, adds, is a "violation of basic human rights."

"Inequity is a problem across the country," said Wendy Ake, an author of the report and director of the Just Public Finance Project. "As systems built a century ago were patched together and as decisions for updating and expanding them were made, there was discrimination."

Other pieces of the agreement between the authority and Detroit also are "flawed," the report's authors say.

DWSD, in response to the report, issued a statement saying it "delivers clean, safe drinking water to our customers."

As a public utility, the department noted, it relies on rate-payers to fund the cost of service and to maintain the water and sewer infrastructure. "It empowers municipal water utilities to set rates, but basing them on income "is currently illegal in this state due to the Heald v. City of Lansing," DWSD said.

"Therefore, an income-based water rate is not legally-defensible," the statement reads. "In Detroit, an income-based rate would be a barrier to service to the working poor."

Researchers, however, argued an income-based affordability plan funded by meter fees does not require the implement require a voter approval.

The report notes that the lease is a "common-to-all" cost across the authority, with Detroit contributing \$13.6 million to the city's affordability problems, the researchers said, because the city already owns the asset and shouldn't pay a lease

Researchers argue the current system has resulted in high, unmetered drainage charges in the city, which has hurt churches

"Congregations have maintained a social fabric as our city has gone through its turbulent periods," said Ponsella Hardaway and executive director of MOSES. "This is a big heavy burden on them that could force some to close."

Because Detroit holds a unique role in the ownership of the system, the researchers argue it does not have proper representation on the board.

Detroit has two board positions, while Macomb, Oakland and Wayne counties each have a single representative. A governor from Flint joined the board this year.

A supermajority — five of six votes — is needed to approve influential actions, which moderates the city's influence, the

The secret negotiations to establish and shape the regional water authority in 2014-15, conducted under a federal gag order. [Detroit and its suburban neighbors \(/story/business/columnists/daniel-howes/2015/06/01/howes-macombs-hackel-wage-officials-from-macomb-and-oakland-counties-questioned-the-accuracy-of-financial-figures-provided-by-detroit \(/story/new-county/2015/01/20/county-execs-rip-detroit-new-water-authority/22062069/\)\)](#) during the talks.

Macomb County Executive Mark Hackel said Monday that he disagreed from the beginning with the \$50 million lease. But higher, he said, is an "unacceptable thought."

"I think it's heavily in Detroit's favor to begin with," Hackel said. "Off the top of our rates, we're paying \$50 million a year for Detroit's system to fix Detroit's infrastructure at a cost to rate payers that don't live in the city of Detroit."

Bill Mullan, a spokesman for Oakland County Executive L. Brooks Patterson, declined to comment on the water report.

To address the water inequity most immediately, the researchers said, a moratorium should be put in place to end all residential water shutoffs gained national attention in 2014 when about 33,000 homes lost water access for unpaid bills.

The shutoffs have continued, though they have slowed in recent years. The researchers said unlike for electrical shutoffs, there is no clear, navigable process by which users can appeal water shutoff decisions.

They also recommended an investigation into a water affordability plan and the suggested use of the income-based rate plan in Colton in 2005. The Water Affordability Program, which City Council approved in 2006 but was never implemented, calls for 2-3 percent of household income.

That initiative, the researchers said, could be bolstered by lowered or eliminated late fees, water repayment programs and other programs to avoid water shutoffs. Actions to preserve water access, quality and oversight also could be supported by state funding, they said.

"People want to pay their bills, and they want to have access to water," the researchers wrote, "and a true affordability p

The service agreement between the authority and Detroit, however, would make this difficult. It caps the amount rates c annually, which the researchers said may need to be abandoned.

In its first three years of operation, the authority said it had an average annual increase of 2 percent for the water system system.

"A more equitable cost structure would result in extremely modest increases (for suburban communities)," Recchie said. costs. If you place it on a few people, it makes it very difficult."

DWSD said Monday there's a path for every customer to avoid interruption in water service.

Since March 2016, DWSD noted, more than 10,000 households have benefited from the payment and arrearage assista Residential Assistance Program.

Customers also are enrolled in the 10/30/50 Payment Plan, which spreads past due balances over 6-24 months. In addit households have benefited from minor home plumbing repairs through WRAP and toilet replacement, which has reduce 23 percent.

"DWSD agrees more can be done to support water affordability and continually seeks additional funding for customer as donations and grants," the statement said.

bnoble@detroitnews.com

Read or Share this story: <https://www.detroitnews.com/story/news/local/detroit-city/2019/01/14/detroit-losing-out-millions-lease/2548568002/>

City of Detroit
CITY COUNCIL
COUNCIL PRESIDENT BRENDA JONES

MEMORANDUM

TO: Joneigh Khaldun, Director
Detroit Health Department

FROM: Council President Brenda Jones *BQ*

DATE: January 15, 2019

RE: Bed Bug Mitigation Notification

Please provide responses to the following within one (1) week:

1. What methods are or will be used to reach out to landlords to notify them about the requirements to inspect, mitigate, and inform tenants per the Bed Bug Ordinance?
2. What is the anticipated cost of developing mailers to distribute to landlords in Detroit to notify them of the requirements to inspect, mitigate, and inform tenants per the Bed Bug Ordinance prior to finalizing rental agreements as well as during the term of their rental agreement?
3. What is the Health Department's current marketing budget?
4. How much money is currently left in the Department's budget for marketing?
5. What are the Department's plans to utilize those dollars?

City of Detroit
CITY COUNCIL
COUNCIL PRESIDENT BRENDA JONES

Refer PHS
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MEMORANDUM

TO: Lawrence Garcia, Corporation Counsel
City of Detroit

FROM: Council President Brenda Jones *BX*

DATE: January 15, 2019

RE: Dangerous Animals Amendment

Please work with my office to draft an ordinance developing metrics for the determination of dangerous animals.

Received @ tabb 1/18/19 (Formal session)

MEMORANDUM

TO: Scott Benson, Chairperson
Public Health and Safety Standing Committee

FROM: Roy McCalister, Jr., Member
Public Health and Safety Standing Committee

DATE: January 14, 2019

RE: Wayne County Circuit Court's Decision Reference City of Detroit Zoning Ordinance, Section 61-4-72

Corporate Council Lawrence Garcia;

My office has received several communications concerning the Wayne County Circuit Court's decision referencing City of Detroit Zoning Ordinance, under Section 61-4-72.

It is therefore the request of my office that you provide a comprehensive explanation of this decision; as well as provide answers/explanations to the following:

- (1) Please provide an update and opinion of this decision.
- (2) How does this decision affect the appeals process for communities and organizations protesting Medical Marijuana Dispensaries authorized within their area and which will subsequently impact the area?
- (3) Why are the "6 Suggested Questions," only applicable to the communities and organizations being impacted; and not the Medical Marijuana Dispensary Businesses?

The decision appears to be a bias in favor of Medical Marijuana Dispensaries; an unconstitutionality of inequality towards communities.

- (4) Do the "6 Suggested Questions," fall under the Board of Zoning Standards?
- (5) How does October 2018 Case Decision affect State Delegation to local municipalities?
- (6) How does this decision affect the earlier implementation of location distance in reference to churches, schools, other dispensaries and similar establishments; and how does this decision affect and/or impact the inspection decisions of Building Safety Engineering and Environment Department (BSEED)?

(7) Has the City Law Department questioned this decision?

(8) Does the City Law Department plan to appeal this decision? If no, why not?

(9) How does this decision affect current appeals? Will appeals entered prior to the Wayne County Circuit Court's decision be allowed to by-pass this decision process, or must they also comply with this decision? Will the City Law Department allow appeals entered prior to this decision to be grandfathered?

How is "special damages" being defined, what qualifies as a special damage?

How is "harm" being defined, what qualifies as a harm?

Who developed these questions, have they been vetted by the law department to assure that they comply with state law?

What type of benefit do the questions have to fighting or opposing deleterious uses in our community?

Is there another way to identify or to meet the aggrieved person standard? What is the law department's suggestion to meet the aggrieved person standard?

Why is the burden of proof on the community, particularly considering cases where the initial request is for a variance?

The 6 "Suggested Questions" seem unfair in that they impose a speculative requirement to demonstrate future impact, please expound on this component.

In addition:

- (1) What is the City of Detroit's provisions for tracking taxable information in reference to Medical Marijuana Dispensary income, since collected dollars cannot be deposited in Federal Banks?
- (2) In a recent NEWS article, "60 Michigan Cities have opted out of Recreational Marijuana Sales;" Detroit was not one of the listed 60; therefore, I am requesting the Law Department's opinion on Detroit's option of opting; what are the advantages and disadvantages of Detroit opting in and/or out; and what are the effects of either? How would opting out effect the legal standing for the City Law Department and the City of Detroit?

Sincerely,

Roy McCalister, Jr.
Detroit City Council



City of Detroit

CITY COUNCIL

CITY CLERK 2019 JAN 16 PM 2:43


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MARY SHEFFIELD
COUNCIL PRESIDENT PRO TEM MARY SHEFFIELD
DISTRICT 5

MEMORANDUM

TO: Ron Brundidge
Director, Department of Public Works

THRU: Neighborhood & Community Services (NCS)

FROM: Council President Pro Tem Mary Sheffield 
Chair, Neighborhood & Community Services Standing Committee

DATE: January 16, 2019

RE: Boston Edison Alley between 35 Longfellow & 53 Longfellow

Issue Synopsis:

My office has received several inquiries (phone and e-mail) regarding the condition of the alley surface between 35 Longfellow and 53 Longfellow. Residents have provided my office with a time-line describing their continued efforts to address the poor alley conditions, which serves as their property ingress and egress.

Request:

Please provide our office with an update and remediation plan on this matter. Additionally, please detail your department's responsibility related to alley surface repairs.

Should you have any questions please, contact my office.

CC: Honorable Colleagues
CC: Honorable City Clerk, Janice Winfrey